

AGENDA
City of Lynnwood
Transportation Benefit District Board
Council Chambers, City Hall
19100 44th Avenue W, Lynnwood, WA, 98036

Special Meeting
July 12, 2010
6:30 P.M.

- 10 Call to Order and Flag Salute**
- 20 Roll Call**
- 30 Review and possible approval of the following resolutions:**
 - A Resolution #1 – TBD Charter**
 - B Resolution #2 – TBD Material Change Policy**
- 40 Election of Board Officers**
- 50 Public Hearing on Ordinance #1 of the City of Lynnwood Transportation Benefit District authorizing a vehicle license fee, and fixing a time when the same shall become effective.**
 - A Public Hearing**
 - B Possible approval of said Ordinance**
- 60 Audience Comments**
- 70 Board Comments**
- 80 Adjournment**

Transportation Benefit District Board

Item 30A

**City of Lynnwood
Special Meeting
July 12, 2010
6:30 P.M.**

TITLE: Review and possible approval of Resolution #1 – TBD Charter

DEPARTMENT: Public Works

DEPARTMENT CONTACT: Jeff Elekes

BACKGROUND: At the May 24, 2010 Business Meeting, City Council approved Ordinance #2837, which amended the Lynnwood Municipal Code enacting a new chapter, Transportation Benefit District (TBD), effectively establishing the district. The governing board of the TBD is the Lynnwood City Council acting in an ex officio and independent capacity per RCW 36.73.020(3). The July 12, 2010 TBD meeting is the first meeting of this newly formed entity.

One of the first acts needing to be performed by the TBD Board is to adopt a charter which will lay a foundation for how the TBD is to function. The charter outlines operating procedures including the following:

- 1) purpose of the TBD
- 2) powers and indemnification
- 3) roles/responsibilities of its officers
- 4) establishes the time and place for regular meetings

The charter was modeled after the City of Edmond's charter which has been in affect since February 2009. If adopted by the TBD Board, Resolution #1 will approve and adopt the TBD charter.

ACTION: Discuss and adopt Resolution #1.

ATTACHMENTS:

- 1) Resolution #1 – TBD Charter

Transportation Benefit District Board

Item 30B

**City of Lynnwood
Special Meeting
July 12, 2010
6:30 P.M.**

TITLE: Review and possible approval of Resolution #2 – TBD Material Change Policy

DEPARTMENT: Public Works

DEPARTMENT CONTACT: Jeff Elekes

BACKGROUND: One of the first acts needing to be performed by the TBD Board is to adopt a material change policy which will lay a foundation for how the TBD is to address major plan changes that affect project delivery or the ability to finance the plan. Adopting a Material Change Policy is a requirement of RCW 36.73.160.

The material change policy outlines policy for the following:

- 1) Material change to cost – if the improvement exceeds its original cost by more than 20% the TBD Board shall hold a public hearing to solicit comments from the public regarding how the cost changes should be resolved.
- 2) Material change to scope - if the scope of the improvement materially changes beyond that originally anticipated at project approval, TBD staff shall consult with the TBD Board President.
- 3) Material change to schedule - if the scope of the improvement materially changes in a way that significantly impacts other TBD projects or funding or schedule changes exceed 90 days, TBD staff shall consult with the TBD Board President.

The material change policy was modeled after the City of Olympia's material change policy which has been in affect since February 2009. If adopted by the TBD Board, Resolution #2 will approve and adopt the TBD material change policy.

ACTION: Discuss and adopt Resolution #2.

ATTACHMENTS:

- 1) Resolution #2 – TBD Material Change Policy

Transportation Benefit District Board

Item 40

**City of Lynnwood
Special Meeting
July 12, 2010
6:30 P.M.**

TITLE: Election of Board Officers

DEPARTMENT: Public Works

DEPARTMENT CONTACT: Jeff Elekes

BACKGROUND: One of the first acts needing to be performed by the TBD Board is to elect TBD Board Officers. Section 5.03 of the Charter states that “The Board shall include two or more officers...The initial officers of the Board shall be the President and Vice President. Additional officers may be provided for as approved by the Board.....”

The roles and responsibilities of the TBD President are outlined in Section 5.04 of the Charter: “The President shall serve as the ceremonial head of the District and shall preside over all Board meetings. The President shall, subject to the control of the Board, exercise general supervision, direction, and control of the business and affairs of the District. On matters decided by the District, unless otherwise required under Interlocal Agreement or by this Charter, the signature of the President alone is sufficient to bind the District.”

The roles and responsibilities of the TBD Vice President are outlined in Section 5.05 of the Charter: “The Vice President shall serve in the absence of the President as the ceremonial head of the District and shall preside over Board meetings in the President’s absence and shall otherwise execute the President’s powers and duties.”

Other TBD Board Officers include Treasurer, which shall be the City’s Finance Director (Section 5.06 of the Charter) and Attorney, which shall be the City Attorney (Section 5.07 of the Charter).

ACTION: Nominate and elect TBD Board President and Vice President.

ATTACHMENTS: None

Transportation Benefit District Board

Item 50A

**City of Lynnwood
Special Meeting
July 12, 2010
6:30 P.M.**

TITLE: Conduct a Public Hearing on Ordinance #1 of the City of Lynnwood Transportation Benefit District authorizing a vehicle license fee, and fixing a time when the same shall become effective.

DEPARTMENT: Public Works

DEPARTMENT CONTACT: Jeff Elekes

BACKGROUND: If adopted by the TBD Board, TBD Ordinance #1 authorizes the following:

- 1) An annual \$20 vehicle registration fee
- 2) Establishes February 1, 2011 as the date when the fee becomes effective
- 3) Clearly identifies the following transportation projects and ongoing transportation programs:
 - a) City of Lynnwood Street Fund 111
 - b) Pavement Overlay Program
 - c) Traffic Signal Rebuild Program
 - d) Traffic Signal Reconstruction: Scriber Lake Road at 196th Street SW
 - e) 48th Avenue W Sidewalk: 183rd Place SW to 180th Street SW

A Public Hearing has also been scheduled for the July 12th 2010 TBD Special Meeting to give the TBD Board an opportunity to hear comments from the public and also as required by RCW 36.73.050.

ACTION: Conduct a public hearing.

ATTACHMENTS:

- 1) TBD Ordinance #1

Transportation Benefit District Board

Item 50B

**City of Lynnwood
Special Meeting
July 12, 2010
6:30 P.M.**

TITLE: Adopt Ordinance #1 of the City of Lynnwood Transportation Benefit District authorizing a vehicle license fee, and fixing a time when the same shall become effective.

DEPARTMENT: Public Works

DEPARTMENT CONTACT: Jeff Elekes

BACKGROUND: See materials from the public hearing item 50A.

ACTION: Adopt TBD Ordinance #1.

ATTACHMENTS:

1) TBD Ordinance #1 (see item 50A)